

**M. ROBERT KESTENBAUM, LLC
PATENT AND TRADEMARK MATTERS**

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Kalimah Fernandez	M. Robert Kestenbaum
COMPANY:	DATE:
Commissioner for Patents	December 11, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(703) 872-9306	9
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
(571) 272-2470	(Z) 98027 P US
RE:	YOUR REFERENCE NUMBER:
Amendment	09/754,841

NOTES/COMMENTS:

Dear Examiner Fernandez:

I am faxing this Amendment (2 pages and 7 page attachment), in response to the Office Action mailed September 23, 2004.

Thank you for considering this submission.

Sincerely,

M. Robert Kestenbaum
Reg. No. 20,430

**RECEIVED
CENTRAL FAX CENTER
DEC 11 2004**

11011 BERMUDA DUNES NE
ALBUQUERQUE, NEW MEXICO USA 87111
PHONE (505) 323-0771
FAX (505) 323-0865

Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 2881

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: US Patent Application 09/754,841
Filed 01/03/01
Applicant Gerhard et al
Art Unit 2881
Examiner Kalimah Fernandez
Examiner's Telephone (571) 272-2470
Examiner's Fax (703)-872-9306
Attorney Docket (Z) 98027 P US

RECEIVED
CENTRAL FAX CENTER
DEC 11 2004

Mail Stop Final Response - Art Unit 2881
PO Box 1450
Commissioner for Patents
Alexandria, Va. 22313-1450

Amendment

Dear Examiner Fernandez:

This Amendment responds to the Office Action mailed September 23, 2004.

The Examiner states that an English translation of the foreign priority papers has not yet been made of record. As a result, the prior art and the "112" rejections are continued.

The priority document is the same as the present application except for the marked-up portions of the present application (US2001/0022402 A1), which were added to the priority document.

The prior art and "112" rejections are now overcome.

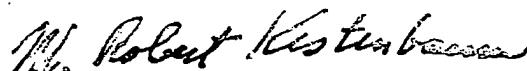
Gerhard (Z) 98027 P US US Patent Application 09/754,841
AAFA in Response to Office Action mailed September 23, 2004

1

Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 2881

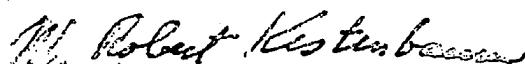
Please allow the claims in this application.

Respectfully submitted,



M. Robert Kestenbaum
Reg. No. 20,430
11011 Bermuda Dunes NE
Albuquerque, NM USA 87111
Telephone (505) 323-0771
Facsimile (505) 323-0865

I hereby certify this correspondence is being submitted to Commissioner for Patents,
Alexandria, VA 22313-1450 by facsimile transmission on December 11, 2004, fax
number (703)-872-9306



M. Robert Kestenbaum